

Schedule B Exempt Quantities	
Byproduct Material	Microcuries
Osmium 193 (Os 193)	100
Palladium 103 (Pd 103)	100
Palladium 109 (Pd 109)	100
Phosphorus 32 (P 32)	10
Platinum 191 (Pt 191)	100
Platinum 193m (Pt 193m)	100
Platinum 193 (Pt 193)	100
Platinum 197m (Pt 197m)	100
Platinum 197 (Pt 197)	100
Polonium 210 (P 210)	0.1
Potassium 42 (K 42)	10
Praseodymium 142 (Pr 142)	100
Praseodymium 143 (Pr 143)	100
Promethium 147 (Pm 147)	10
Promethium 149 (Pm 149)	10
Rhenium 186 (Re 186)	100
Rhenium 188 (Re 188)	100
Rhodium 103m (Rh 103m)	100
Rhodium 105 (Rh 105)	100
Rubidium 86 (Rb 86)	10
Rubidium 87 (Rb 87)	10
Ruthenium 97 (Ru 97)	100
Ruthenium 103 (Ru 103)	10
Ruthenium 105 (Ru 105)	10
Ruthenium 106 (Ru 106)	1
Samarium 151 (Sm 151)	10
Samarium 153 (Sm 153)	100
Scandium 46 (Sc 46)	10
Scandium 47 (Sc 47)	100
Scandium 48 (Sc 48)	10
Selenium 75 (Se 75)	10
Silicon 31 (Si 31)	100
Silver 105 (Ag 105)	10
Silver 110m (Ag 110m)	1
Silver 111 (Ag 111)	100
Sodium 24 (Na 24)	10
Strontium 85 (Sr 85)	10
Strontium 89 (Sr 89)	1
Strontium 90 (Sr 90)	0.1
Strontium 91 (Sr 91)	10
Strontium 92 (Sr 92)	10
Sulfur 35 (S 35)	100
Tantalum 182 (Ta 182)	10
Technetium 96 (Tc 96)	10
Technetium 97m (Tc 97m)	100
Technetium 97 (Tc 97)	100
Technetium 99m (Tc 99m)	100
Technetium 99 (Tc 99)	10
Tellurium 125m (Te 125m)	10
Tellurium 127m (Te 127m)	10
Tellurium 127 (Te 127)	100
Tellurium 129m (Te 129m)	10
Tellurium 129 (Te 129)	100
Tellurium 131m (Te 131m)	10
Tellurium 132 (Te 132)	10
Terbium 160 (Tb 160)	10
Thallium 200 (Tl 200)	100
Thallium 201 (Tl 201)	100
Thallium 202 (Tl 202)	100
Thallium 204 (Tl 204)	10
Thulium 170 (Tm 170)	10
Thulium 171 (Tm 171)	10
Tin 113 (Sn 113)	10
Tin 125 (Sn 125)	10
Tungsten 181 (W 181)	10
Tungsten 185 (W 185)	10
Tungsten 187 (W 187)	100
Vanadium 48 (V 48)	10
Xenon 131m (Xe 131m)	1,000

Schedule B Exempt Quantities	
Byproduct Material	Microcuries
Xenon 133 (Xe 133)	100
Xenon 135 (Xe 135)	100
Ytterbium 175 (Yb 175)	100
Yttrium 90 (Y 90)	Section 399
Yttrium 91 (Y 91)	10
Yttrium 92 (Y 92)	100
Yttrium 93 (Y 93)	100
Zinc 65 (Zn 65)	10
Zinc 69m (Zn 69m)	100
Zinc 69 (Zn 69)	1,000
Zirconium 93 (Zr 93)	10
Zirconium 95 (Zr 95)	10
Zirconium 97 (Zr 97)	10
Any byproduct material not listed above other than alpha-emitting byproduct material.	0.1

Appendix A. - Appendix F. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Nuclear Energy Division, LR 13:569 (October 1987), amended by the Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 18:34 (January 1992), LR 20:180 (February 1994), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2574 (November 2000), LR 27:1228 (August 2001), amended by the Office of Environmental Assessment, LR 31:46 (January 2005), LR 31:1580 (July 2005), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2528 (October 2005), LR 32:820 (May 2006), LR 32:1853 (October 2006).

Herman Robinson, CPM
Executive Counsel

0610#047

RULE

Department of Environmental Quality Office of the Secretary Legal Affairs Division

Public Notice Requirements for General Permits (LAC 33:III.513)(AQ267)

Under the authority of the Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary has amended the Air regulations, LAC 33:III.513 (Log #AQ267).

The department is allowed by regulation to issue general permits intended to cover numerous similar sources or activities. General permits are issued in accordance with LAC 33:III.519 and, prior to issuance, must undergo public notice and review by affected states and EPA in accordance with LAC 33:III.531 and 533. Applicants applying for authorization to operate under the general permit must also publish a notice of the application in a newspaper of general circulation in the local area where the source is or would be located. These procedures are appropriate for general permits intended to cover Part 70 sources. However, for general permits intended to cover minor sources, review by affected states and EPA is not necessary, nor is publication of a notice of the application. This rule revision specifies that

the aforementioned requirements are only required for general permits intended to cover Part 70 sources. This Rule is also a revision to the Louisiana State Implementation Plan for air quality. The basis and rationale for this Rule are to clarify the public notice requirements for general permits.

This Rule meets an exception listed in R.S. 30:2019(D)(2) and R.S. 49:953(G)(3); therefore, no report regarding environmental/health benefits and social/economic costs is required. This Rule has no known impact on family formation, stability, and autonomy as described in R.S. 49:972.

Title 33
ENVIRONMENTAL QUALITY
Part III. Air

Chapter 5. Permit Procedures

§513. General Permits, Temporary Sources, and Relocation of Portable Facilities

A. General Permits

1. The permitting authority may issue a general permit intended to cover numerous similar sources or activities. General permits shall be issued in accordance with LAC 33:III.519 and, prior to issuance, shall undergo public notice and, if the general permit is intended to cover a *Part 70 source* as defined in LAC 33:III.502, review by affected states and EPA in accordance with LAC 33:III.531 and 533. Each general permit shall incorporate terms and conditions applicable to sources that would qualify for the general permit. Any general permit shall identify criteria by which sources may qualify for the general permit, and may provide for applications which deviate from the requirements of LAC 33:III.517.

2. The owner or operator of any source that would qualify for the general permit may apply for authorization to operate under the general permit. The application must include all information necessary to determine qualification for and to assure compliance with the general permit. The owner or operator of a *Part 70 source* as defined in LAC 33:III.502 shall publish a notice of the application in a newspaper of general circulation in the local area where the source is or would be located.

3. - 5. ...

6. General permits shall not be issued for new *major stationary sources* and *major modifications* as defined in LAC 33:III.504 or 509.

B. - C.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 19:1420 (November 1993), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2448 (November 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 32:1855 (October 2006).

Herman Robinson, CPM
Executive Counsel

0610#045

RULE

Office of the Governor
Division of Administration
Office of Group Benefits

EPO Plan of Benefits
(LAC 32:V.Chapters 1-7)

In accordance with the applicable provisions of R.S. 49:950 et seq., the Administrative Procedure Act, and pursuant to the authority granted by R.S. 42:801(C) and 802(B)(1), as amended and reenacted by Act 1178 of 2001, vesting the Office of Group Benefits (OGB) with the responsibility for administration of the programs of benefits authorized and provided pursuant to Chapter 12 of Title 42 of the Louisiana Revised Statutes, and granting the power to adopt and promulgate rules with respect thereto, OGB finds that it is necessary to revise and amend provisions of the EPO Plan Document. The reason for this action is to enhance member clarification and enable fair and effective administration health care benefits effectively for the program and members.

Accordingly, OGB hereby adopts the following Rule to become effective upon promulgation.

Title 32
EMPLOYEE BENEFITS
Part V. Exclusive Provider Organization (EPO)
Plan of Benefits

Chapter 1. Eligibility

§101. Persons to Be Covered

Eligibility requirements apply to all participants in the program, including the PPO plan, the EPO plan, the MCO plan, an HMO plan, or the life insurance plan.

A. - A.2. ...

3. Effective Dates of Coverage, New Employee, Transferring Employee. Coverage for each employee who completes the applicable enrollment form and agrees to make the required payroll contributions to his participant employer is effective as follows.

a. If employment begins on the first day of the month, coverage is effective on the first day of the following month (For example, if hired on July 1, coverage will begin on August 1).

b. If employment begins on or after the second day of the month, coverage is effective on the first day of the second month following employment (For example, if hired on July 15, coverage will begin on September 1).

c. Employee coverage will not become effective unless the employee completes an enrollment form within 30 days following the date of employment. If completed after 30 days following the date of employment, the employee will be considered an overdue applicant.

d. An employee who transfers employment to another participating employer must complete a transfer form within 30 days following the date of transfer to maintain coverage without interruption. If completed after

**Comment Summary Response & Concise Statement – AQ267
Amendments to the Air Regulations
Public Notice Requirements for General Permits
LAC 33:III.513**

- COMMENT 1: — The commenter supports the proposed amendments.
- No arguments are necessary since the comment does not suggest amendment or change.
- RESPONSE 1: — The department appreciates the support.
- COMMENT 2: — New Source Review (NSR) major sources or major modifications must go through affected state and EPA review. The rule limits affected state and EPA review to only part 70 sources. The rule should clarify that General Permits cover only NSR minor sources and minor modifications and part 70 sources.
- The department agrees with the comment; no arguments are necessary.
- RESPONSE 2: — LAC 33:III.513.A will be amended to clearly state that general permits cannot be used to permit new major stationary sources and major modifications as defined in LAC 33:III.504-Nonattainment New Source Review Procedures or in LAC 33:III.509-Prevention of Significant Deterioration.
- COMMENT 3: — The proposed revision appears to require public notice in a newspaper of general circulation to only part 70 sources. The rule should be revised to meet the NSR public notice requirements of 40 CFR 51.161.
- FOR: The rule should be revised to meet the NSR public notice requirements of 40 CFR 51.161.
- AGAINST: The rule will be amended to clarify that general permits cannot be used for any project subject to major NSR.
- RESPONSE 3: — LAC 33:III.513.A will be amended to clearly state that general permits cannot be used to permit new major stationary sources

and major modifications as defined in LAC 33:III.504-Nonattainment New Source Review Procedures or in LAC 33:III.509-Prevention of Significant Deterioration.

COMMENT 4: §513.A — As written, the state rule for general permits may allow General Permits for NSR (Nonattainment New Source Review (NNSR) and Prevention of Significant Deterioration (PSD)) major sources and major modifications which is not acceptable. The rule should clarify that General Permits may only cover NSR minor sources and non-part 70 sources.

FOR: The rule should clarify that General Permits may only cover NSR minor sources and non-part 70 sources.

AGAINST: Part 70 sources may be covered by general permits.

RESPONSE 4: — LAC 33:III.513.A will be amended to clearly state that general permits cannot be used to permit new major stationary sources and major modifications as defined in LAC 33:III.504-Nonattainment New Source Review Procedures or in LAC 33:III.509-Prevention of Significant Deterioration.

LDEQ does not believe EPA intended to suggest that general permits “may only cover NSR minor sources and **non-part 70 sources**” (emphasis added) since the use of general permits to cover part 70 sources is expressly allowed by 40 CFR 70.6(d).

**Comment Summary Response & Concise Statement Key – AQ267
Amendments to the Air Regulations
Public Notice Requirements for General Permits
LAC 33:III.513**

COMMENT #

SUGGESTED BY

1	Richard T. Metcalf / Louisiana Mid-Continent Oil and Gas Association
2 — 4	David Neleigh / U.S. EPA, Chief, Air Permits Section, Region 6



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733

Bryan Johnston
SANDRA HILTON
SANDY STEPHENS

RECEIVED

August 1, 2006

AUG 01 2006

1010/MS/SHAND
REGULATION DEVELOPMENT SECTION

Dr. A. Schuerman, Ph.D.
Office of the Secretary, Legal Affairs Division
Louisiana Department of Environmental Quality
P.O. Box 4302
Baton Rouge, LA 70821-4302

RE: Comments on Louisiana's Proposed Rule Revisions AQ265, Crude Oil and Natural Gas Production Facilities (LAC 33:III.501 and 503); ~~AQ267~~, Public Notice Requirements for General Permits (LAC 33:III.513); and AQ268, Correction of Term Used for Version of Permit (LAC 33:III.531)

Dear Dr. Schuerman:

Thank you for the opportunity to review the proposed changes to LAC 33:III.501 and 503 (AQ265), 513 (AQ267), and 531 (AQ268). We understand you plan to submit the proposed rules as revisions to the Louisiana State Implementation Plan (SIP).

Louisiana Department of Environmental Quality (LDEQ) proposed rule revisions AQ265, AQ267, and AQ268 went on public notice on June 20, 2006. U.S. Environmental Protection Agency (EPA) has reviewed them for consistency with the requirements of the Federal Clean Air Act and corresponding Federal regulations. Based on our review, we have enclosed our comments, which we believe will clarify EPA's position on how these proposed regulations can become approvable as SIP revisions.

If you would like to further discuss these comments or if you have any questions, please contact me at (214) 665-7250, or Shannon Snyder of my staff at (214) 665-3134.

Sincerely yours,

David Neleigh for David Neleigh

David Neleigh
Chief
Air Permits Section

Enclosure

cc: Ms. Cheryl Sonnier Nolan, Administrator
Office of Environmental Services, Air Permits Division
Louisiana Department of Environmental Quality

Enclosure

General Comments

- 1) **Scope of Comments.** EPA has not yet acted on all of the Louisiana SIP submittals containing the Permit Procedure provisions of LAC, Title 33, Part III, Chapter 5, including those that may have been revised since our initial approval of Chapter 5 into the Louisiana SIP. *See* 54 FR 09795 (March 8, 1989). Therefore, our review of these proposed revisions is of limited scope. Our comments today are not equivalent to final action on the parts of Chapter 5 that we have not yet acted upon. The comments in this letter do not limit or alter the scope of our review of any pending or future SIP submission, and our silence in this letter on particular rules may not be construed as any indication as to whether we will approve those rules into the SIP.
- 2) **Approvability and Federal Enforceability of Proposed Revisions.** EPA is currently considering Louisiana SIP submittals that include both underlying and cross-referenced provisions in these proposed revisions and EPA may have not yet acted on those submittals. Therefore, the approvability and Federal enforceability of these proposed revisions will be contingent upon the approvability of both underlying and cross-referenced provisions already submitted to EPA for SIP approval.
- 3) **CAA §110(l) Analysis.** Upon submittal of these revisions for SIP approval, Louisiana will need to demonstrate that any revision to the Louisiana SIP does not interfere with any applicable requirements concerning NSR, operating permits, attainment, reasonable further progress, or any other applicable requirement of the CAA. *See* CAA 110(l). A more detailed explanation is given under the comments for AQ265, which may require particular scrutiny under CAA §110(l).

AQ 265: Crude Oil and Natural Gas Production Facilities (LAC 33:III.501 and 503)

- 1) **Constructing without first obtaining a NSR permit.** Louisiana currently has a SIP-approved NSR program (which includes both a Nonattainment New Source Review program and a Prevention of Significant Deterioration program) for new and modified stationary sources, requiring a permit for all new and modified sources before construction can begin. The proposed rule would allow certain oil and gas production sources to begin construction before the issuance of a NSR pre-construction permit. Clean Air Act §110(a)(2)(C) and Federal regulations found at 40 CFR 51.160 through 51.164, particularly 40 CFR 51.160(b), require states to have legally enforceable procedures to prevent construction or modification of a source if it would violate any SIP control strategies or interfere with attainment or maintenance of the National Ambient Air Quality Standards (NAAQS). Because LDEQ's proposed rule authorizes construction to begin before any air quality review occurs for sources within this category of oil and gas

production, and the rule only provides for revocation of a permit after these types of sources begin construction, EPA believes that the proposed rule, as written, would render Louisiana's preconstruction permit program deficient with respect to this source category of oil and gas production facilities. The proposed rule does not clearly authorize Louisiana to prevent construction or modification in accordance with 40 CFR 51.160(b), if construction or modification of these types of sources before receipt of a permit will either result in a violation of applicable portions of the control strategy or interfere with the attainment or maintenance of a national standard before construction or modification begins.

Before the promulgation of the proposed rule and on the record, the State must be able to verify that the construction or modification of these types of sources prior to receiving a permit will neither cause nor contribute to a violation of any NAAQS nor result in a violation of the applicable portions of a SIP control strategy. The State also must address the cumulative effect of pre-permit construction-generated emissions that allowing sources of this type to commence construction activities prior to permit issuance would create. 40 CFR 51.161 requires the permitting authority to provide the public and EPA an opportunity to comment on information concerning proposed construction or modification, and, therefore, this determination must be subject to public and EPA review.

In addition to the above demonstration requirement, the LDEQ could add more safeguards by requiring the submittal of a comprehensive permit application, public notice of the application for pre-permit construction approval, and written approval from the LDEQ before a source can commence pre-permit construction. Additionally, the LDEQ could require that the permit application include the request for pre-permit construction (including a list of activities the owner or operator plans to undertake prior to receiving a final permit), certification that construction is at the applicant's risk, certification that the applicant will not contest the final permit on the basis that construction has begun, and certification that the applicant will comply with any restrictions being sought to limit potential to emit, including applicable monitoring and recordkeeping requirements. LDEQ may also want to consider including language highlighting other cost-associated risks that an owner or operator would be undertaking; for example: "If the final permit is issued, any necessary design changes, and the costs associated with those design changes (including the cost of delayed construction) in order to comply with the terms of the final permit are entirely at the owner or operator's risk. Any costs associated with these design changes may not be used as part of any BACT, LAER, or MACT determination, or any other type of cost-effectiveness evaluation done for regulatory purposes." *See, e.g.*, 67 FR 52666, 52670 (Idaho) and 71 FR 14658, 14661 (Mississippi).

- 2) **Clarification that Eligible Sources are Minors.** The eligibility requirements should be clear that no major source or major modification would be allowed to commence construction prior to receiving a permit to construct. LAC 33:III.503.C.2. should clarify that the exception it creates would be limited to

“true minors.” See CAA §§110(a)(2)(C), 165, 172, and 173. That is, only a source in this oil and gas production category with a potential to emit (PTE) below the threshold for a major source or a modification with a PTE below the major modification threshold, without consideration of any limitations on emissions, should be eligible for the §503(C) exception; sources other than true minor sources within the oil and gas production category should be explicitly excluded from the proposed exception. For example, synthetic minors, major sources/major modifications, sources that propose to “net out” of major NSR, sources that propose to use offsets to mitigate ambient impacts, any new stationary source or modification requiring a case-by-case MACT determination, and sources that could impact a Class I area should not be allowed to commence construction prior to receiving a permit and, therefore, should not be allowed to obtain authorization under this provision.

- 3) **SIP Relaxation - CAA §110(l) Analysis.** Section 110(l) of the Act governs EPA’s review of a SIP revision from a state that wishes to make changes to its approved SIP. This section provides that EPA may not approve a SIP revision if it will interfere with any applicable requirement concerning attainment and reasonable further progress or any other applicable requirement of the Act. Specifically, CAA §110(l) states:

Each revision to an implementation plan submitted by a State under this Act shall be adopted by such State after reasonable notice and public hearing. The Administrator shall not approve a revision of a plan if the revision would interfere with any applicable requirement concerning attainment and reasonable further progress (as defined in section 171), or any other applicable requirement of this Act.

Since the 1970’s, EPA has taken the position that it can approve a SIP revision that a state submits if it meets the Act’s SIP public participation requirements, does not interfere with attainment and maintenance of the standards, and does not interfere with any other applicable CAA requirement. The Supreme Court in *Train v. NRDC*, 421 U.S. 60 (1975), implicitly approved EPA’s “noninterference” standard for assessing SIP revisions. The Court elaborated on EPA’s duty that in each instance the Agency must measure the existing level of pollution, compare it with the national standards, and determine the effect on this comparison of specified emission modifications.

EPA also issued draft guidance on June 8, 2005, “Demonstrating Noninterference Under Section 110(l) of the CAA When Revising a State Implementation Plan.” With respect to attainment, maintenance, and RFP, the Agency interprets CAA §110(l) such that areas have two options available to demonstrate noninterference for the affected pollutant(s). These options are: 1) Substitution of one measure by another with equivalent or greater emissions reductions/air quality benefit; or 2) an air quality analysis showing that removing the measure will not interfere with other applicable requirements (i.e., without a substitute measure). These options

are available to all areas, whether the requested action is to remove or modify an area-wide control measure, a statewide control measure, or a control measure at a single source.

LDEQ's proposal to allow crude oil and natural gas production facilities, if not a major source or major modification, to construct prior to obtaining a minor NSR preconstruction permit affects a SIP-approved statewide control measure. Presently, the Louisiana SIP requires that this source category, whether minor or major, obtain a NSR preconstruction permit before commencing construction. Therefore, to be approvable by the EPA, LDEQ must perform a section 110(l) analysis. This analysis, among other things, must show that this change will not interfere with attainment and maintenance in the State, which would include a consideration of the cumulative effect of sources that qualify for the exception that LAC §503(C) creates. This includes an analysis of noninterference with the Baton Rouge ozone nonattainment area achieving attainment and Reasonable Further Progress (RFP). The State must show that it will not interfere with continued maintenance in affected parishes and will not interfere with attainment in the remainder of the State. The analysis must show that it will not significantly contribute to nonattainment in downwind states for the criteria pollutants ozone and particulate matter (CAIR). The change must not contribute to violations of the PSD increments and any other requirement of the Act. EPA is prepared to work with the State on an acceptable section 110(l) analysis.

AQ 267: Public Notice Requirements for General Permits (LAC 33:III.513)

- 1) It appears that §513(A) (the State rule for General Permits) as written may allow General Permits for NSR (NNSR and PSD) major sources and major modifications. It is not an acceptable practice to allow General Permits for NSR major sources or major modifications, so the rule should clarify that General Permits may only cover NSR minor sources and non-part 70 sources.
- 2) In addition, by limiting affected State and EPA review to only part 70 sources, it appears that the State rule as written does not require affected State and EPA review for NSR (including both NNSR and PSD) major sources and major modifications. Such practice would not be compliant with NSR notice requirements. *See* 40 CFR 51.161. NSR major sources or major modifications must also go through affected State and EPA review. If including NSR major sources and major modifications in its General Permits program is not Louisiana's intent (as we advise above that it should not be), Louisiana should clarify that these General Permits may cover only NSR minor sources and minor modifications and part 70 sources. Similarly, by limiting publication of notice in a newspaper of general circulation to only part 70 sources, the proposed revision as written appears to require public notice only for part 70 sources. Again, such practice would not be compliant with NSR notice requirements and should be revised to meet the public notice requirements of 40 CFR 51.161.

AQ 268: Correction of Term Used for Version of Permit (LAC 33:III.531)

These revisions would improve §531(B)(3) by making it consistent with defined terms in LDEQ's regulations and other provisions relating to public notice of air permits.



LOUISIANA MID-CONTINENT OIL AND GAS ASSOCIATION

801 NORTH BOULEVARD, SUITE 201, BATON ROUGE, LA 70802-5727
TELEPHONE (225) 387-3205 FAX (225) 344-5502
E-MAIL lmoga@lmoga.com

July 26, 2006

Dr. Judith A. Schuerman, Ph.D.
Office of the Secretary, Legal Affairs Division
Department of Environmental Quality
Post Office Box 4302
Baton Rouge, Louisiana 70821-4302

Re: Log #AQ267 Comments

Dear Dr. Schuerman:

The Louisiana Mid-Continent Oil and Gas Association appreciates the opportunity to submit the following comments on the proposed amendments to the Chapter 5 Permit Procedure regulations for general permits (Log #AQ267) which appeared in the June 20, 2006 Louisiana Register. Mid-Continent is an industry trade association representing individuals and companies who together produce, transport, refine and market crude oil, natural gas, petroleum products and electricity in Louisiana. Several Mid-Continent member facilities are minor sources of air emissions and are potential candidates for coverage under general permits.

Mid-Continent supports the proposed amendments to Section 513. The amendments will remove unnecessary administrative burdens for both the Department and the affected minor sources of air emissions covered by general permits. Many of these sources are small businesses that may not have the resources to track and implement all of the administrative public notice requirements.

Once again, the Mid-Continent Oil and Gas Association appreciates the opportunity to submit these comments

Sincerely,

Richard T. Metcalf
Health, Safety and Environmental
Affairs Coordinator

DEPARTMENT OF ENVIRONMENTAL QUALITY

IN RE: PUBLIC NOTICE REQUIREMENTS FOR GENERAL
PERMITS
LAC 33:III.513

LOG NO.: AQ267

The Hearing Concerning
PUBLIC NOTICE REQUIREMENTS FOR GENERAL PERMITS
LAC 33:III.513

held, at the Galvez Building, Oliver Pollock
Conference Room, 602 North Fifth Street, Baton
Rouge, Louisiana, beginning at 1:42 p.m., on
July 25, 2006.

BEFORE: Megan B. Welch
Certified Court Reporter
In and For the State of
Louisiana

ASSOCIATED REPORTERS, INC.
(225) 216-2036

RECEIVED

AUG 11 2006

LDLQ/CULCA AND
REGULATION DEVELOPMENT SECTION

A P P E A R A N C E S

HEARING OFFICER:
SANDY STEPHENS

1 **MS. STEPHENS:**

2 Good afternoon. My name is Sandy Stephens.
3 I'm employed with the Louisiana Department of
4 Environmental Quality. I'll be serving as the
5 hearing officer this afternoon to receive
6 comments regarding proposed amendments to the
7 Grant parish and St. Mary Parish Ozone
8 Maintenance Plans, and to the Air regulations.

9 The comment period for these amendments
10 began on June 20, 2006, when the potpourri
11 notices and notices of intent were published in
12 the *Louisiana Register*. The comment period will
13 close at 4:30 p.m. on August 24, 2006, for
14 proposed rules AQ2569ft and AQ260ft, and at 4:30
15 p.m., August 1, 2006, for the remaining rules
16 and the parish maintenance plan amendments. It
17 would be helpful to us if all oral comments
18 received today were followed up in writing.

19 This public hearing provides a forum for all
20 interested parties to present comments on the
21 proposed changes. I'll ask that each person
22 commenting come up and sit at the front table
23 and begin by stating his or her name and
24 affiliation for the record.

25

1 The next amendment is designated by the Log
2 Number AQ267.

3 The department is allowed by regulation to
4 issue general permits intended to cover numerous
5 similar sources or activities. General permits
6 are issued in accordance with LAC 33.III.519
7 and, prior to issuance, must undergo public
8 notice and review by affected states and EPA in
9 accordance with LAC 33.III.531 and 533.
10 Applicants applying for authorization to operate
11 under the general permit must also publish a
12 notice of the application in a newspaper of
13 general circulation in the local area where the
14 source is or would be located. These procedures
15 are appropriate for general permits intended to
16 cover Part 70 sources. However, for general
17 permits intended to cover minor sources, review
18 by affected states and EPA is not necessary, nor
19 is publication of a notice of the application.
20 This rule revision specifies that the
21 aforementioned requirements are only required
22 for general permits intended to cover Part 70
23 sources. This rule is also being proposed as a
24 revision to the Louisiana State Implementation
25 Plan for air quality.

AQ267

5

1 Does anyone care to comment on this
2 amendment?

3 (Pause)

4 If not, the hearing on AQ267 is closed.

5

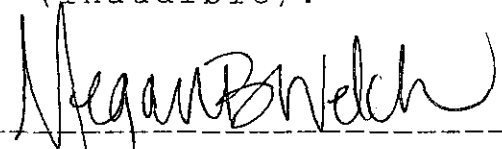
6 **(THE HEARING CONCLUDED AT 1:44 P.M.)**

R E P O R T E R ' S P A G E

I, Megan B. Welch, Certified Court Reporter,
in and for the State of Louisiana, the officer,
as defined in Rule 28 of the Federal Rules of
Civil Procedure and/or Article 1434(b) of the
Louisiana code of Civil Procedure, before whom
this sworn testimony was taken, do hereby state
on the Record

That due to the interaction in the
spontaneous discourse of this proceeding, dashes
(--) have been used to indicate pauses, changes
in thought, and/or talk overs; that same is the
proper method for a Court Reporters's
transcription of proceeding, and that the dashes
(--) do not indicated that words or phrases have
been left out of this transcript;

That any words and/or names which could not
be verified through reference material have been
denoted with the phrase "(inaudible)."

A handwritten signature in cursive script, reading "Megan B. Welch", written over a horizontal dashed line.


Megan B. Welch, C.C.R.

24027

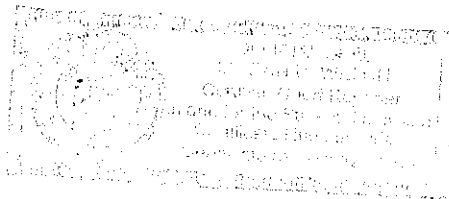
C E R T I F I C A T I O N

I, the undersigned reporter, do hereby certify that the above and foregoing is a true and correct transcription of the stenomask tape of the proceedings had herein, taken down by me and transcribed under my supervision, to the best of my ability and understanding, at the time and place hereinbefore noted, in the above entitled cause.

I further certify that my license is in good standing as a court reporter in and for the state of Louisiana.


Megan B. Welch, C.C.R.

24027



CAPITAL CITY PRESS

Publisher of
THE ADVOCATE

CERTIFIED COPY

RECEIVED

JUL 05 2006

ENVIRONMENTAL AND
REGULATION DEVELOPMENT SECTION

PROOF OF PUBLICATION

The hereto attached notice was published in THE ADVOCATE, a daily newspaper of general circulation published in Baton Rouge, Louisiana, and the official Journal of the State of Louisiana, the City of Baton Rouge, and the Parish of East Baton Rouge, in the following issues:

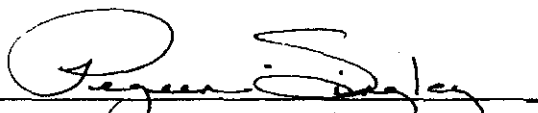
06/15/06



Susan A. Bush, Public Notices Clerk

Sworn and subscribed before me by the person whose signature appears above:

June 15, 2006



Pegeen Singley, Notary Public, #68565
My Commission Expires: Indefinite
Baton Rouge, Louisiana

NOTICE OF INTENT

Department of
Environmental Quality
Office of the Secretary
Legal Affairs Division

Public Notice Requirements
for General Permits
(LAC 33:III.513) (AQ267)

Under the authority of the Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary gives notice that rulemaking procedures have been initiated to amend the Air regulations, LAC 33:III.513 (Log #AQ267).

The department is allowed by regulation to issue general permits intended to cover numerous similar sources or activities. General permits are issued in accordance with LAC 33:III.519 and, prior to issuance, must undergo public notice and review by affected states and EPA in accordance with LAC 33:III.531 and 533. Applicants applying for authorization to operate under the general permit must also publish a notice of the application in a newspaper of general circulation in the local area where the source is or would be located. These procedures are appropriate for general permits intended to cover Part 70 sources. However, for general permits intended to cover minor sources, review by affected states and EPA is not necessary, nor is publication of a notice of the application. This rule revision specifies that the aforementioned requirements are only required for general permits intended to cover Part 70 sources. This rule is also being proposed as a revision to the Louisiana State Implementation Plan for air quality. The basis and rationale for this rule are to clarify the public notice requirements for general permits.

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A public hearing will be held on July 25, 2006, at 1:30 p.m. in the Galvez Building, Oliver Pollock Conference Room, 602 N. Fifth Street, Baton Rouge, LA 70802. The hearing will also be for the revision to the State Implementation Plan (SIP) to incorporate this proposed rule. Interested persons are invited to attend and submit oral comments on the proposed amendments. Should individuals with a disability need an accommodation in order to participate, contact Judith A. Schuerman, Ph.D., at the address given below or at (225) 219-3550. Free parking is available in the Galvez Garage with a validated parking ticket.

All interested persons are invited to submit written comments on the proposed regulation. Persons commenting should reference this proposed regulation by AQ267. Such comments must be received no later than August 1, 2006, at 4:30 p.m., and should be sent to Judith A. Schuerman, Ph.D., Office of the Secretary, Legal Affairs Division, Box 4302, Baton Rouge, LA 70821-4302 or to FAX (225) 219-3582 or by e-mail to judith.schuerman@la.gov. Copies of this proposed regulation can be purchased by contacting the DEQ Public Records Center at (225) 219-3168. Check or money order is required in advance for each copy of AQ267. This regulation is available on the Internet at www.deq.louisiana.gov under Rules and Regulations.

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3347314-jun 15-11

DEQ - OSEC/LARD REGULATION

3347314

REMENDER WEATHERSPOON

PO BOX 4302

BATON ROUGE

LA 70821-4314

RECEIVED

JUL 11 2006

REGULATION DEVELOPMENT SECTION

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Office of the Secretary
Legal Affairs Division

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Herman Robinson, CPM
 Executive Counsel

Monroe, LA
 June 17, 2006

Publisher of

THE NEWS-STAR
MONROE, LOUISIANA
PROOF OF PUBLICATION

The hereto attached advertisement
Was published in the NEWS-STAR.

A daily newspaper of general circulation.

Published in Monroe, Louisiana.

Parish of Ouachita in the issues of:

June 17, 2006
Amanda Bauer

LEGAL AD DEPT.

Sworn and subscribed before me by

The person whose signature appears above in Monroe, LA on this

21st day of June 20 06 AD

SHL

STEVEN L. TURNER 43154

NOTARY PUBLIC

CERTIFIED COPY

Acadiana's Daily Newspaper

THE ADVERTISER

1100 Bertrand Drive
LAFAYETTE, LA 70506

PHONE: (337) 289-6300
FAX: (337) 289-6466

RECEIVED
JUN 21 2006
LAW OFFICIALS
REGULATION DEVELOPMENT SECTION

AFFIDAVIT OF PUBLICATION

Remender D. Weatherspoon
LA Department of Environmental Quality
OSEC/Legal Affairs Division/
Regulation Development Section
P. O. Box 4302
Baton Rouge, LA 70821-4302

Account No.: LDEQRD
Ad Number: 612082
Ad Total: \$84.93
No. of Lines: 189
Reference No.: Visa Purchase

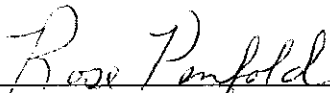
**To insure proper credit please refer to your account number
and/or ad number when making payment. Remittance address:
P.O. Box 3268, Lafayette, LA 70502-3268

I, ROSE PENFOLD, do solemnly swear that I am the LEGAL CLERK of THE ADVERTISER,
a newspaper printed and published at Lafayette, in the Parish of Lafayette, State of Louisiana, and
that from my personal knowledge and reference to the files of said publication, the advertisement of

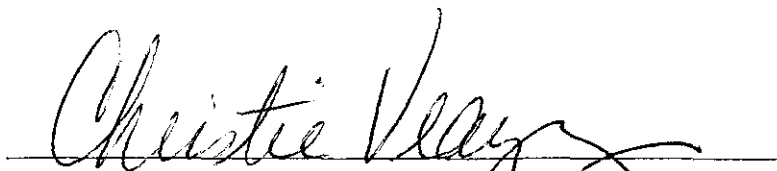
NOTICE OF INTENT
Department of Environmental Quality
Office of the Secretary
Legal Affairs Division
Public Notice Requirements for General Permits
(LAC 33:III.513) (AQ267)

was published in **THE ADVERTISER** on the following dates:

***Wednesday, June 14, 2006**


ROSE PENFOLD
LEGAL CLERK

Sworn to and subscribed before me this 16 day of June, 2006.


NOTARY PUBLIC - ID#58555

612082
NOTICE OF INTENT

Department of
Environmental Quality
Office of the Secretary
Legal Affairs Division

Public Notice
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Herman Robinson,
CPM
Executive Counsel

CERTIFIED COPY

RECEIVED

JUN 22 2006

REGULATORY AND
REGULATION DEVELOPMENT SECTION

AFFIDAVIT OF PUBLICATION

AQ267

(A Correct Copy of Publication)

NOTICE OF INTENT

Department of
Environmental Quality
Office of the Secretary
Legal Affairs Division

Public Notice
Requirements for
General Permits
(LAC 33:III.513)
(AQ267)

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HERMAN ROBINSON,
CPM
Executive Counsel

(6) 16

I, Bill Buschmann, Classified Advertising Manager

of THE TOWN TALK, published at Alexandria,

Louisiana do solemnly swear that the

Public Notice

advertisement, as per clipping attached, was

published in the regular and entire issue of said

newspaper, and not in any supplement thereof

for one insertions commencing with the issue

dated June 16, 2006 and ending with the

issue dated June 16, 2006.

Bill Buschmann

Subscribed and sworn to before me
this 16th day of June, 2006

Notary Number 019888

CERTIFIED COPY

Affidavit of Publication

RECEIVED

JUN 21 2006

REGULATION DEVELOPMENT SECTION

NOTICE OF INTENT
Department of Environmental Quality
Office of the Secretary
Legal Affairs Division
Public Notice Requirements for General Permits

(LAC 33:111.513)
(AQ267)

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STATE OF LOUISIANA

Parish of Calcasieu

Before me the undersigned authority, personally came and appeared

Candi Dickson
who being duly sworn, deposes and says:

He/She is a duly authorized agent of
LAKE CHARLES AMERICAN PRESS
a newspaper published daily at 4900 Highway 90 East,
Lake Charles, Louisiana, 70615. (Mail address: P.O. Box 2893
Lake Charles, LA 70602)

The attached Notice was published in said newspaper in its issue(s)
dated:

00264871 - \$41.00

June 16, 2006

00053262
LA. DEQ OSEC/LARD
REGULATION DEVELOPMENT
REMENDER WEATHERSPOON
P.O. BOX 4302
BATON ROUGE, LA 70821-4302

Candi Dickson
Duly Authorized Agent

Subscribed and sworn to before me on this 16th day of June, 2006 at
Lake Charles, LA

Gwendolyn R. Dugas
Notary Public

00053262

LA. DEQ OSEC/LARD

Gwendolyn R Dugas
#056523

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Executive Counsel
June 16 11
00264871

CERTIFIED COPY

The Times

RECEIVED

JUN 19 2006

LDEQ/USEC/LAND
REGULATION DEVELOPMENT SECTION

PROOF OF PUBLICATION

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general permits.

00000

STATE OF LOUISIANA

PARISH OF CADDO

Before me, the undersigned authority, personally came and appeared

Altheas Critton,

personally known to me,

Who being duly sworn, deposes and says that she is the Assistant to the
Classified Advertising Manager of The Times, and that the attached
Advertisement entitled:

NOTICE OF INTENT Department of Environmental
Quality Office of the Secretary Legal Affairs Division (AQ267)

June 14, 2006

(Signed) Altheas Critton

Sworn to and subscribed before me this 14th day of June, 2006

Diana W. Barber
(Notary)

DIANA W. BARBER, NOTARY PUBLIC # 60491
CADDO PARISH, LOUISIANA
MY COMMISSION IS FOR LIFE



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Herman Robinson, CPM
Executive Counsel

The Times:
June 14, 2006

The Times-Picayune

3800 HOWARD AVENUE, NEW ORLEANS, LOUISIANA 70140-1097

TELEPHONE (504) 826-3206

NOTICE OF INTENT

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(AQ267)

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the Louisiana State
Implementation Plan for air
quality. The basis and rationale
for this rule are to clarify the
public notice requirements for
general permits.

This proposed rule meets an
exception listed in R.S.
30:2019(D)(2) and R.S.
49:953(C)(3); therefore, no
report regarding
environmental/health benefits
and social/economic costs is
required. This proposed rule has
no known impact on family
formation, stability, and
autonomy as described in R.S.
49:972.

A public hearing will be held on
July 25, 2006, at 1:30 p.m. in the
Galvez Building, Oliver Pollock
Conference Room, 602 N. Fifth
Street, Baton Rouge, LA 70802.
The hearing will also be for the
revision to the State
Implementation Plan (SIP) to
incorporate this proposed rule.
Interested persons are invited to
attend and submit oral
comments on the proposed
amendments. Should individuals
with a disability need an
accommodation in order to
participate, contact Judith A.
Schuerman, Ph.D., at the
address given below or at (225)
219-3550. Free parking is
available in the Galvez Garage
with a validated parking ticket.

All interested persons are
invited to submit written
comments on the proposed
regulation. Persons commenting
should reference this proposed
regulation by AQ267. Such
comments must be received no
later than August 1, 2006, at 4:30
p.m., and should be sent to
Judith A. Schuerman, Ph.D.,
Office of the Secretary, Legal
Affairs Division, Box 4302, Baton
Rouge, LA 70821-4302 or to
FAX (225) 219-3582 or by e-mail
to judith.schuerman@la.gov.
Copies of this proposed
regulation can be purchased by
contacting the DEQ Public
Records Center at (225)
219-3168. Check or money order
is required in advance for each
copy of AQ267. This regulation
is available on the Internet at
www.deq.louisiana.gov under
Rules and Regulations.

This proposed regulation is
available for inspection at the
following DEQ office locations
from 8 a.m. until 4:30 p.m.: 602
N. Fifth Street, Baton Rouge, LA
70802; 1823 Highway 546, West
Monroe, LA 71292; State Office
Building, 1525 Fairfield Avenue,
Shreveport, LA 71101; 1301
Cadwall Street, Lake Charles,
LA 70615; 111 New Center
Drive, Lafayette, LA 70508; 110
Barataria Street, Lockport, LA
70374; 645 N. Lolus Drive, Suite
C, Mandeville, LA 70471.
Herman Robinson, CPM
Executive Counsel

State of Louisiana

Parish of Orleans

City of New Orleans

Personally appeared before me, a Notary in and for the
parish of Orleans, Robert J. Chiasson who deposes and
says that he is the Accounts Receivable Manager, of The
Times-Picayune Publishing Corporation, a Louisiana
Corporation, Publishers of The Times-Picayune, Daily and
Sunday, of general circulation; doing business in the City
of New Orleans and the State of Louisiana, and that the
attached **LEGAL NOTICE**

Re: Notice of intent Public Notice Requirements for
General Permit (LAC 33:III.513) (AQ267)

Advertisement of Dept. Of Environmental Quality

P.O. BOX 4302
Baton Rouge, La. 70821-4302

Was published in The Times Picayune

3800 Howard Ave.
New Orleans, La. 70125

On the following dates June 17, 2006

19th

Sworn to and subscribed before me this
Day of June, 2006

Robert J. Chiasson

Charles A. Ferguson
Notary Public

My commission expires at my death.
Charles A. Ferguson, Jr.

Notary identification number 23492

copy of AQ260ft. This regulation is available on the Internet at www.deq.louisiana.gov under Rules and Regulations.

This proposed regulation is available for inspection at the following DEQ office locations from 8 a.m. until 4:30 p.m.: 602 N. Fifth Street, Baton Rouge, LA 70802; 1823 Highway 546, West Monroe, LA 71292; State Office Building, 1525 Fairfield Avenue, Shreveport, LA 71101; 1301 Gadwall Street, Lake Charles, LA 70615; 111 New Center Drive, Lafayette, LA 70508; 110 Barataria Street, Lockport, LA 70374; 645 N. Lotus Drive, Suite C, Mandeville, LA 70471.

Herman Robinson, CPM
Executive Counsel

0606#026

NOTICE OF INTENT

Department of Environmental Quality Office of the Secretary Legal Affairs Division

Public Notice Requirements for General Permits (LAC 33:III.513)(AQ267)

Under the authority of the Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary gives notice that rulemaking procedures have been initiated to amend the Air regulations, LAC 33:III.513 (Log #AQ267).

The department is allowed by regulation to issue general permits intended to cover numerous similar sources or activities. General permits are issued in accordance with LAC 33:III.519 and, prior to issuance, must undergo public notice and review by affected states and EPA in accordance with LAC 33:III.531 and 533. Applicants applying for authorization to operate under the general permit must also publish a notice of the application in a newspaper of general circulation in the local area where the source is or would be located. These procedures are appropriate for general permits intended to cover Part 70 sources. However, for general permits intended to cover minor sources, review by affected states and EPA is not necessary, nor is publication of a notice of the application. This rule revision specifies that the aforementioned requirements are only required for general permits intended to cover Part 70 sources. This Rule is also being proposed as a revision to the Louisiana State Implementation Plan for air quality. The basis and rationale for this Rule are to clarify the public notice requirements for general permits.

This proposed Rule meets an exception listed in R.S. 30:2019(D)(2) and R.S. 49:953(G)(3); therefore, no report regarding environmental/health benefits and social/economic costs is required. This proposed Rule has no known impact on family formation, stability, and autonomy as described in R.S. 49:972.

Title 33

ENVIRONMENTAL QUALITY

Part III. Air

Chapter 5. Permit Procedures

§513. General Permits, Temporary Sources, and Relocation of Portable Facilities

A. General Permits

1. The permitting authority may issue a general permit intended to cover numerous similar sources or activities. General permits shall be issued in accordance with LAC 33:III.519 and, prior to issuance, shall undergo public notice and, if the general permit is intended to cover a *Part 70 source* as defined in LAC 33:III.502, review by affected states and EPA in accordance with LAC 33:III.531 and 533. Each general permit shall incorporate terms and conditions applicable to sources that would qualify for the general permit. Any general permit shall identify criteria by which sources may qualify for the general permit, and may provide for applications which deviate from the requirements of LAC 33:III.517.

2. The owner or operator of any source that would qualify for the general permit may apply for authorization to operate under the general permit. The application must include all information necessary to determine qualification for and to assure compliance with the general permit. The owner or operator of a *Part 70 source* as defined in LAC 33:III.502 shall publish a notice of the application in a newspaper of general circulation in the local area where the source is or would be located.

A.3. - C.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 19:1420 (November 1993), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2448 (November 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 32:

A public hearing will be held on July 25, 2006, at 1:30 p.m. in the Galvez Building, Oliver Pollock Conference Room, 602 N. Fifth Street, Baton Rouge, LA 70802. The hearing will also be for the revision to the State Implementation Plan (SIP) to incorporate this proposed Rule. Interested persons are invited to attend and submit oral comments on the proposed amendments. Should individuals with a disability need an accommodation in order to participate, contact Judith A. Schuerman, Ph.D., at the address given below or at (225) 219-3550. Free parking is available in the Galvez Garage with a validated parking ticket.

All interested persons are invited to submit written comments on the proposed regulation. Persons commenting should reference this proposed regulation by AQ267. Such comments must be received no later than August 1, 2006, at 4:30 p.m., and should be sent to Judith A. Schuerman, Ph.D., Office of the Secretary, Legal Affairs Division, Box 4302, Baton Rouge, LA 70821-4302 or to fax (225) 219-3582 or by e-mail to judith.schuerman@la.gov. Copies of this proposed regulation can be purchased by contacting the DEQ Public Records Center at (225) 219-3168. Check or money order is required in advance for each copy of AQ267. This regulation is available on the Internet at www.deq.louisiana.gov under Rules and Regulations.

This proposed regulation is available for inspection at the following DEQ office locations from 8 a.m. until 4:30 p.m.: 602 N. Fifth Street, Baton Rouge, LA 70802; 1823 Highway 546, West Monroe, LA 71292; State Office Building, 1525 Fairfield Avenue, Shreveport, LA 71101; 1301 Gadwall Street, Lake Charles, LA 70615; 111 New Center Drive,

Lafayette, LA 70508; 110 Barataria Street, Lockport, LA 70374; 645 N. Lotus Drive, Suite C, Mandeville, LA 70471.

Herman Robinson, CPM
Executive Counsel

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES**

**RULE TITLE: Public Notice Requirements
for General Permits**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)
There will be no costs or savings to state or local governmental units as a result of this rule.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)
There will be no effect on revenue collections of state or local governmental units.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)
There will be no costs and/or economic benefits to directly affected persons or non-governmental groups.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)
There will be no effect on competition; no effect on employment in the public or private sector will be realized.

Herman Robinson, CPM
Executive Counsel
0606#027

Robert E. Hosse
Staff Director
Legislative Fiscal Office

NOTICE OF INTENT

**Office of the Governor
Board of Tax Appeals**

Filing Fee Schedule

Under the authority of R.S. 47:1413 and in accordance with R.S. 49:967(A), the Louisiana Board of Tax Appeals proposes to amend Rule 3 to change the filing fee schedule as follows.

Filing Fee Schedule

Type of Filing	Filing Fee
Initial Filing over \$5,000	\$250
Subpoena	\$ 25

New schedule will take effect July 1, 2006. Interested persons can submit written comments until 4:30 p.m., June 29, 2006 to Chairman Gary Ortego at the Board of Tax Appeals, 1111 South Foster Drive Suite A, Baton Rouge, LA 70806 or present comments at the monthly hearings on June 21, 2006

Gary J. Ortego
Chairman

0606#018

NOTICE OF INTENT

**Office of the Governor
Division of Administration
Office of Facility Planning and Control**

**Demolition or Disposing of State Owned Buildings
(LAC 34:III.701)**

In accordance with the provisions of the Administrative Procedure Act (R.S. 49:950, et seq.) and the provisions of RS 39:121, the Division of Administration, Office of Facility Planning and Control hereby gives notice of its intent to amend LAC 34:III.701, Demolition or Disposing of State Owned Buildings. This rule change is the result of Act 13, 2006 which gives the Director of Facility Planning and Control the authority to approve immediate demolition of buildings under emergency conditions. Three typographic errors have also been corrected.

The full text of this proposed Rule may be viewed in the Emergency Rule section of this *Louisiana Register*.

Family Impact Statement

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of this proposed Rule on the family has been considered. It is anticipated that this proposed Rule will have no impact on family functioning, stability, or autonomy as described in R.S. 49:972.

Interested persons may submit written comments to William Morrison, Office of Facility Planning and Control, P.O. Box 94095, Baton Rouge, LA 70804-9095. He is the person responsible for responding to inquiries regarding this proposed Rule.

Jerry W. Jones
Director

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES**

**RULE TITLE: Demolition or
Disposing of State Owned Buildings**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)
There are no implementation costs associated with this rule change. This rule shortens the time for approval of demolition of State owned buildings in emergency situations. All other requirements remain the same.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)
The proposed rule change will have no effect on revenue collections of state or local governmental units.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)
The proposed rule change will result in no costs and/or economic benefits to directly affected persons or non-governmental groups.